

'UNFOUNDED ALLEGATIONS'

NAJIB'S LAWYERS DRAW FLAK OVER REMARKS

Prosecutor rebukes
defence team
for branding trial
judge 'biased,
incompeten'

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THE lead prosecutor in Datuk Seri Najib Razak's appeal hearing involving the SRC International case yesterday rebuked defence lawyers for branding the trial judge, who convicted the former prime minister, as biased, hopelessly incompetent and acting as

a second prosecutor.

Datuk V. Sithambaram said Najib's lawyers had made serious, unfair and unfounded allegations against Kuala Lumpur High Court judge Mohd Nazlan Mohd Ghazali, who could not respond even though whatever said was totally unjustified.

"Judges are just doing their judicious duty. Unfounded allegations in cases such as these, which are of national interest, will bring disrepute to the administration of justice.

"People read about this case every day. They will be thinking that judges are biased... That they are useless and not qualified to sit. These are very serious allegations, which were uttered without any basis at all," he said.

Sithambaram said lawyers



Former prime minister Datuk Seri Najib Razak arriving at the Court of Appeal in Putrajaya yesterday. PIC BY MOHD FADLI HAMZAH

must not overstep the bounds of decorum and courtesy while representing their client.

"It is, of course, the duty of counsel to act fearlessly with all the force and vigour at their disposal in the interest of their clients. However, they must equally remember that, in the discharge of their duties, they cannot abuse the privilege of appearing in court. If they overstep the lines, they must be cautioned.

"In our vigour to represent our clients, we must not drag the judge into the arena of conflict or subject him to personal attacks."

Sithambaram said the Court of Appeal bench hearing Najib's appeal must not take any notice of the defence's contention that Nazlan's judgment was tainted or biased, or that it was written by

an incompetent judge who was complicit with the prosecution to get Najib convicted.

"All these must be rejected. His (Nazlan's) judgment has considered all the law and evidence, and was made bona fide without any biases."

Nazlan was the judge who convicted Najib, a former Umno president, of all seven charges of abuse of power, criminal breach of trust and money laundering involving RM42 million of SRC funds.

He sentenced Najib to 12 years' jail and ordered the Pekan member of parliament to pay a RM210 million fine during the sentencing in July.

However, from the onset of Najib's appeal hearing, his lead counsel, Tan Sri Muhammad Shafee Abdullah, and others in

the defence team, had some choice words for Nazlan's findings.

Previously, Shafee had reportedly said his client should never have been ordered to enter his defence against the charges, let alone convicted of the offences.

He accused the judge of misconstruing law concepts before saying Nazlan was inexperienced to handle the case.

The senior counsel was later reminded by the lead judge hearing the appeal hearings to stop using words like "hopelessly incompetent, poisonous judgment and blunder" when arguing against Nazlan's findings.

The hearing before Court of Appeal judges Datuk Abdul Karim Abdul Jalil, Datuk Has Zanah Mehat and Datuk Vazeer Alam Mydin Meera continues.